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PTO/SB/52 (07-07)
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# REISSUE APPLICATION DECLARATION BY THE ASSIGNEE

Docket Number (optional): 1999U026.RE.US

I hereby declare that:

The residence, mailing address and citizenship of the inventors are stated below.

I am authorized to act on behalf of the following assignee: UNIVATION TECHNOLOGIES, LLC

and the title of my position with said assignee is: General Counsel and Secretary

The entire title to the patent identified below is vested in said assignee.

| Inventor | Citizenship |
|---|---|
| DONALD R. LOVEDAY | US |
| Residence/Mailing Address: 9 Mystery Rose Lane, West Grove, Pennsylvania 19390 | |
| Inventor | Citizenship |
| DAVID H. McCONVILLE | CANADA |
| Residence/Mailing Address: 4015 Cinnamon Fern Court, Houston, Texas 77059 | |

☒ Additional Inventors are named on separately numbered sheets attached hereto.

| Patent Number | Date of Patent Issued |
|---|---|
| 6,274,684 | August 14, 2001 |

I believe said inventor(s) to be the original and first inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled:

CATALYST COMPOSITION, METHOD OF POLYMERIZATION, AND POLYMER THEREFROM

the specification of which

☐ is attached hereto.

☒ was filed on January 20, 2004 as reissue application number 10 / 761,101
and was amended on 1/20/04; 11/14/05; 3/30/06; 7/26/06 & 11/6/06
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

☐ I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is form PTO/SB/02B (or equivalent) listing the foreign applications.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.



This collection of information is required by 37 CFR 1.175. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

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| REISSUE APPLICATION DECLARATION BY THE ASSIGNEE | Docket Number (Optional) 1999U026.RE.US |
|---|---|

At least one error upon which reissue is based is described as follows:

**Claim 1 is anticipating by Japanese Laid Open Patent Application (KOKAI) 10-330412 (330,412/1998), specifically at Page "2 of 74 pages" under the heading "Solution" and before Translator's note, the KOKAI discloses an olefin polymerization catalyst that comprises (A) transition metal compound from...**

[Attach additional sheets, if needed.]

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All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

I hereby appoint:

☒ Practitioners associated with Customer number: 25959

OR

☐ Practitioner(s) named below:

| Name | Registration Number |
|---|---|
| | |
| | |
| | |
| | |

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Correspondence Address: Direct all communications about the application to:

☒ The address associated with Customer Number: 25959

*OR*

| | | | | | |
|---|---|---|---|---|---|
| ☐ Firm or Individual Name | | | | | |
| Address | | | | | |
| City | | State | | Zip | |
| Country | | | | | |
| Telephone | | Email | | | |

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

| Signature | Date |
|---|---|
| | August 30, 2007 |

Full name of person signing (given name, family name)
**Raul R. Montes**

Address of Assignee **Univation Technologies, LLC**
**5555 San Felipe St., Suite 1950, Houston, TX 77056**



PAGE 17/19 * RCVD AT 8/30/2007 2:41:56 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-2/4 * DNIS:2738300 * CSID:713 892 3687 * DURATION (mm-ss):05-28

Docket Number 1999U026.RE.US

REISSUE APPLICATION DECLARATION BY THE ASSIGNEE

USSN 10/761,101

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Docket Number 1999U026.RE.US

REISSUE APPLICATION DECLARATION BY THE ASSIGNEE

USSN 10/761,101

CONTINUATION OF DISCUSSION OF AT LEAST ONE ERROR UPON WHICH REISSUE IS BASED

Claim 1 is anticipated by Japanese Laid Open Patent Application (KOKAI) 10-330412 (330, 412/1999), specifically at Page "2 of 74 pages" under the heading "Solution" and before Translator's note, the KOKAI discloses an olefin polymerization catalyst the comprises " (A) Transition metal compound from

Group 4 of the Periodic Table that contains a ligand that has the cyclopentadienyl skeleton;

(B) transition metal amide compound represented by $(R_2N)_kMX_{j-k}$

Wherein

M is a transition metal from Groups 3-6 of the Periodic Table,

j is the valance of M,

k is an integer from 1 to j,

R is, for example, hydrocarbyl, and

X is, for example, halogen; and

(C) at least one compound selected from organometal compounds,

organoaluminumoxy compounds, and

compounds that react with the aforesaid (A) or (B) to form an ion pair."



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